

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:
KENNETH J. SAMANSKY
xxx-xx-8594
P.O. BOX 1551
DENTON, TX 76202

DEBTOR

§
§
§
§
§
§
§
§
§

CASE NO. 13-41306

CHAPTER 13

MOTION TO AVOID JUDICIAL LIEN ON EXEMPT PROPERTY

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY-ONE (21) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

Pursuant to Bankruptcy Rules 4003(d) and 9014, the Debtors, by their attorney,
represents as follows:

1. The Creditor TEXAS WORKFORCE COMMISSION, has a judicial lien on the following described property of the Debtors, which property is held as the homestead of Debtors:

A0328A W. DABBS, TR 56, 2.75 ACRES

2. The judicial lien of the Creditor, TEXAS WORKFORCE COMMISSION, impairs an exemption to which the Debtors would have been entitled under the laws of the State of Texas, which exemptions have been claimed by the Debtors in the Schedule C - Property Claimed Exempt, filed by the Debtors in this case, which exemptions have been allowed in this case.

3. The Debtors are entitled to avoid the security interest of the Creditor, TEXAS WORKFORCE COMMISSION, in the above-described property under the provisions of 11 U.S.C. § 522(f).

WHEREFORE, the Debtors move this Honorable Court for the entry of an Order Avoiding the Lien of the Creditor, TEXAS WORKFORCE COMMISSION, in the property described in paragraph 1 above.

DATED: June 23, 2014

Respectfully submitted,
BARRON & BARRON, L.L.P
P. O. BOX 1347
NEDERLAND, TEXAS 77627
(409) 727-0073

BY: /s/Robert E. Barron
ROBERT E. BARRON
TBA NO. 01820800

ATTORNEY FOR DEBTOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion to Avoid Judicial Lien on Exempt Property and Order Avoiding Judicial Lien has this June 23, 2014 , shall be served via electronic means, if available, otherwise by regular first class mail, to....

Mr. Kenneth J. Samansky
P.O. Box 1551
Denton, TX 76202

Janna L. Countryman
P.O. Box 941166
Plano, TX 75094-1166

Texas Workforce Commission
101 E. 15th St.
Austin, TX 78778

Bank of America, N.A.
c/o Chelsea Marie Schneider
Mackie Wolf Zientz & Mann, P.C.
14160 North Dallas Parkway, Suite 900
Dallas, TX 75254

Toyota Motor Credit Corporation
c/o Stephen G. Wilcox
Bassel & Wilcox P.L.L.C.
P.O. Box 11509
Fort Worth, TX 76110-0509

This service complies with Local Rules of Bankruptcy Procedure 9013(e).

/s/ Robert E. Barron
ROBERT E. BARRON